

2 8 SEP 2007



United States Patent and Trademark Office

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Millen, White, Zelano & Branigan
Arlington Courthouse Plaza 1
2200 Clarendon Boulevard, Suite 1400
Arlington, VA 22201

In re Application of
Weinstein et al.
App. No.: 10/566,586
PCT No.: PCT/US04/02064
Int. Filing Date: 28 January 2004
Priority Date: 31 July 2003
Attorney Docket No.: GMU-0001
For: Compositions And Methods For
Treating Or Preventing HIV Infection

:
:
:
:
:
:
:
:
:
:
:

DECISION

This is in response to applicants' response filed 23 August 2007.

DISCUSSION

In a Decision mailed on 25 June 2007, the declaration filed on 26 April 2007 was treated as follows:

The current response includes three declaration documents, each naming and executed by one of the inventors. Counsel is referred again to MPEP 201.03, which states in part that "*each oath or declaration executed by an inventor must contain a complete listing of all inventors so as to clearly indicate what each inventor believes to be the appropriate inventive entity.*" None of the declaration documents filed on 26 April 2007 complies with this practice because none of them nominate the entire inventive entity.

On 20 August 2007, a Notification of Abandonment (Form PCT/DO/EO/909) was mailed to applicants, indicating that this international application had become abandoned with respect to the national stage in the United States because "Petition dated 6-25-07 to be abandoned."

Petition Under 37 CFR 1.137(b)

In response, petitioner has filed a petition for revival pursuant to 37 CFR 1.137(b).

Petitioner states that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has filed the required reply in the form of an acceptable declaration (as discussed below), and has paid the petition fee. Thus, the requirements of 37 CFR 1.137(b) have been satisfied.

Declaration of Inventorship

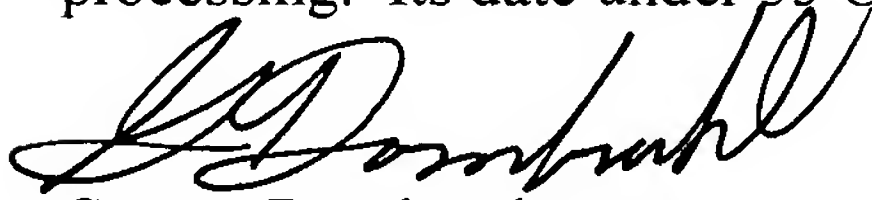
Petitioner's correspondence filed on 23 August 2007 includes a declaration of the inventors. Inspection of this declaration reveals that it is acceptable for purposes of compliance with 37 CFR 1.497(a) and (b).

DECISION

The petition under 37 CFR 1.137(b) is **GRANTED**.

The declaration filed on 23 August 2007 is **ACCEPTED**.

This application is being forwarded to the National Stage Processing Branch for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **23 August 2007**.



George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283
Fax: (571) 273-0459